IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.2484 OF 2006

Raju Dnyandev Vishwas. ..Applicant.
Vs.
The State of Maharashtra. ..Respondent.

Mr.R.S.Kate i/by by R.D.Suryawanshi, Advocate for the Applicant.
Mr.Rajesh More, APP. for the State.

CORAM : R.S. MOHITE,J.
DATED : 18-7-2006.

P.C.

1. This is an application for grant of bail. The applicant alongwith his wife is shown as an accused in C.R.No.I-44/2005 registered by Vitthalwadi Police Station, District Thane for alleged offences punishable under Section 363, 366 and 376 read with 34 of the I.P.C. On perusal of the F.I.R. and investigation papers, it appears that the present applicant and his wife took away a minor girl by name Bhagyashree from her parents home. According to the statement of the Bhagyashree, the present applicant has sexually assaulted her on several occasions without her consent. Later on Bhagyashree was brought back. The medical reports indicates that hymen was ruptured. Not a fit case for grant of anticipatory bail. The offence is punishable with life imprisonment and question of consent is immaterial since the prosecutrix is minor. Hence, application is rejected.

(R. S. MOHITE, J.)